

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DANIEL BRYAN KELLY,

Plaintiff,

v.

RICKY OWENS, et al.,

Defendants.

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CIVIL ACTION NO.: 2:05-cv-1150-T

DEFENDANTS' JOINT SECOND MOTION IN LIMINE

COME NOW the Defendants and submit this Joint Motion in Limine to exclude all evidence of insurance that may provide coverage for their alleged wrongful conduct. As grounds therefore, Defendants state as follows:

1. The Federal Rules of Evidence prohibit admitting evidence of insurance on the issue of whether a defendant acted wrongfully. Fed. R. Evid. 411.
2. It is expected that the Plaintiff may seek to offer evidence of a liability insurance policy that may or may not provide coverage for the claims alleged in the Amended Complaint.
3. Such evidence of insurance should be excluded under Fed. R. Evid. 411.

WHEREFORE, PREMISES CONSIDERED, Defendants seek an order preventing the Plaintiff from offering any evidence of insurance that could provide coverage to the Defendants for the acts complained of in the Amended Complaint.

Respectfully submitted this 23rd day of January, 2008.

s/Gary L. Willford, Jr.

KENDRICK E. WEBB – Bar No. WEB022
GARY L. WILLFORD, JR. – Bar No. WIL198
Attorney for Defendant Ricky Owens
WEBB & ELEY, P.C.
7474 Halcyon Pointe Road (36117)
Post Office Box 240909
Montgomery, Alabama 36124
Telephone: (334) 262-1850
Fax: (334) 262-1889
E-mail: gwillford@webbeley.com

s/Kristi A. McDonald

Kristi A. McDonald, Esq.
McDonald & McDonald
1005 Montgomery Highway
Birmingham, Alabama 35216-2805
Telephone: (205) 824-0507
Fax: (205) 824-0509
E-mail: felalaw@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that on this the 23rd day of January, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Richard J. Stockham, III.**

s/Gary L. Willford, Jr.
OF COUNSEL